

ORDINANCE NO. Z-05-01-13-9C7

AN ORDINANCE AMENDING CHAPTERS 11 AND 8, CODE OF ORDINANCES (1995 EDITION), CITY OF ROUND ROCK, TEXAS, TO ALLOW DETACHED RESIDENTIAL DEVELOPMENT IN THE TH (TOWNHOUSE) DISTRICT; TO AMEND REFERENCES TO "FEE SIMPLE TOWNHOUSES" TO "SINGLE-UNIT TOWNHOUSES;" TO AMEND REFERENCES TO "CONDOMINIUM TOWNHOUSES" TO "MULTI-UNIT TOWNHOUSES;" TO AMEND THE TOWNHOUSE SETBACK REQUIREMENT; TO AMEND THE DEFINITION OF "TOWNHOUSE"; TO ADD DEFINITIONS FOR "MULTI-UNIT TOWNHOUSE" AND "SINGLE-UNIT TOWNHOUSE;" AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROUND ROCK, TEXAS:

I.

Chapter 11, Section 11.407 subsections (1) and (3) (a), Code of Ordinances (1995 Edition), City of Round Rock, Texas, are hereby amended to read as follows:

11.407 TH (TOWNHOUSE) DISTRICT

(1) Purpose

To establish and preserve areas of medium intensity land use devoted to moderate density residential development. This district often provides a transition between lower intensity residential uses and more intensive uses. Townhouses may be either Single-Unit Townhouses or Multi-Unit Townhouses.

(3) Density and Development Standards

All Development within the TH (Townhouse) District shall conform to the Density, Development, and Special Standards described below.

(a) Townhouse Lot Density and Development Standards

Density & Development Standards for Townhouse Lots ⁽¹⁾		
Description	Requirement	
	Single-Unit	Multi-Unit
Minimum Lot Area	2,500 sq.ft/unit	20,000 sq. ft.
Minimum Lot Width	25 ft./unit	150 ft.
Minimum Setback from Street (ROW)	15 ft.	15 ft.
Minimum Garage Door Setback from Street (ROW)	25 ft.	25 ft.
Minimum Rear Setback	20 ft.	20 ft.
Minimum Rear Setback abutting SF & TF Lots	20 ft.	20 ft.
Minimum Side Setback	5 ft. ⁽²⁾	10 ft. ⁽²⁾
Minimum Side Setback abutting SF & TF Lots	20 ft.	20 ft.
Minimum Setback for Accessory Building	0 or 5 ft. ⁽³⁾ ⁽⁶⁾	5 ft.
Minimum Distance Between Detached Units	N/A	10 ft.
Maximum Height of Principal Building	2.5 stories	2.5 stories
Maximum Height of Accessory Building	15 ft.	15 ft.
Maximum Lot Coverage	N/A	50%
Maximum Height of Fence within Street Yard	3 ft. ⁽⁴⁾	3 ft. ⁽⁴⁾⁽⁵⁾
Maximum Height of Fence outside Street Yard	8 ft. ⁽⁴⁾	8 ft. ⁽⁴⁾
⁽¹⁾ Special purpose lots, including but not limited to landscape lots and utility lots, may be exempted from these requirements. ⁽²⁾ A Side Setback of 0 feet is allowed only for internal attached units with a common wall. End units shall have a 10-foot Side Setback. Detached Multi-Units have a 5-foot side setback. ⁽³⁾ The setback shall be 5 ft., except that common walls are not required to have a setback. ⁽⁴⁾ All fences shall provide a finished face to abutting streets. ⁽⁵⁾ A wrought iron fence is permitted to reach a height of 6 feet. ⁽⁶⁾ Accessory buildings or structures are not permitted in any street yard.		

II.

Chapter 11, Section 11.407(3), Code of Ordinances (1995 Edition), City of Round Rock, Texas, is hereby amended by adding subsection (h) which shall read as follows:

(h) Setback Encroachment

All required setbacks shall be free from any encroachments including but not limited to accessory buildings or structures, eaves, roof overhangs, box windows and fireplaces. Air conditioning units and other similar ground mounted equipment are exempt from this requirement.

III.

Chapter 11, Section 11.407(4), Code of Ordinances (1995 Edition), City of Round Rock, Texas, is hereby amended to read as follows:

11.407 TH (TOWNHOUSE) DISTRICT

(4) Single-Unit Additional Restrictions

(a) Garage Requirements

Garages shall be located to face an alley (public or private).

(b) Alley Fencing

Fencing located within 10 feet of an alley right-of-way or common lot boundary shall be constructed of materials which will not impede the visibility of drivers backing into the alley.

(c) Dwelling Units

All Single-Unit Townhouses shall be attached.

IV.

Chapter 11, Section 11.407(5), Code of Ordinances (1995 Edition), City of Round Rock, Texas, is hereby amended to read as follows:

11.407 TH (TOWNHOUSE) DISTRICT

(5) Multi-Unit Additional Restrictions

(a) Setback Restrictions

No use shall be allowed in setbacks as required in this section, except that parking shall be allowed in the setback more than 15 feet from the adjacent property line. Such parking shall require a landscape buffer at least 15 feet in depth designed in accordance with landscape requirements in Section 11.501.

(b) Garage Requirements

Garages shall be oriented towards a private drive.

(c) Dwelling Units

Multi-Unit Townhouses may be attached or detached.

V.

Chapter 11, Section 11.802, Code of Ordinances (1995 Edition), City of Round Rock, Texas, is hereby amended to amend the definition of "Townhouse" and add the definitions for "Multi-Unit Townhouse" and "Single-Unit Townhouse" as follows:

11.802 DEFINITIONS

Townhouse	A medium intensity land use devoted to moderate density attached or detached residential development. Maximum 12 units per acre. See Section 11.407.
Townhouse, Multi-Unit	A Townhouse development having more than one dwelling unit per lot, either attached or detached.
Townhouse, Single-Unit	A Townhouse development having only one dwelling unit per lot.

VI.

Chapter 8, Section 8.409, subsections (1) and (2), Code of Ordinances (1995 Edition), City of Round Rock, Texas, is hereby amended to read as follows:

8.409 DRIVEWAYS

- (1) Single-family, two-family and Single-Unit Townhouse, as defined in Chapter 11 of this Code, residential driveways are permitted on local streets and local collector streets only. Residential driveways for double frontage lots and corner lots must be located on the lesser classification street. Driveways serving single family, two-family or Single-Unit Townhouse residences are not permitted on major collectors or arterial streets unless the Transportation Director determines no other access is possible.
- (2) Multi-Unit Townhouse, as defined in Chapter 11 of this Code, , multi-family and non-residential driveways are permitted on all streets; however, the driveways must have a minimum of two hundred feet (200') spacing between driveways on arterial streets and from the street centerline at an intersection.

VII.

Chapter 8, Section 8.415, subsection (2), Code of Ordinances (1995 Edition), City of Round Rock, Texas, is hereby amended to read as follows:

8.415 LOTS

(2) Double Frontage Lots

Double frontage lots are prohibited for all single family, two family and Single-Unit Townhouse lots unless no other lot configuration is practical as determined by the Planning Director.

VIII.

Chapter 8, Section 8.416, subsection (2), Code of Ordinances (1995 Edition), City of Round Rock, Texas, is hereby amended to read as follows:

8.416 BLOCKS

(2) Restriction

Blocks of single-family, two-family or Single-Unit Townhouse lots shall not contain more than two (2) tiers of lots.

IX.

Chapter 8, Section 8.503, subsection (3), Code of Ordinances (1995 Edition), City of Round Rock, Texas, is hereby amended to read as follows:

8.503 OVERSIZE MAINS

(3) Oversize Account

A special oversize account is hereby established for the purpose of reimbursing Developers for the cost of oversizing water and wastewater mains. The account shall be funded by water and wastewater oversize fees which are based on the number of LUEs to be added to the respective water and wastewater systems.

One LUE is equal to the amount of water consumed by a single-family dwelling unit based on an average consumption of four hundred fifty (450) gallons per day and the amount of wastewater produced using two hundred eighty (280) gallons per day average flow.

To determine the number of residential LUE's, the following calculations shall apply:

<u>LUE</u>	<u>Land Use</u>
1.0	Single Family/ per dwelling unit
0.9	Duplex or Single Family Attached/ per dwelling unit
0.8	Townhouse/ per dwelling unit
0.7	Multifamily/ per dwelling unit

LUE determinations for all other types of land uses shall be determined by the City Engineer pursuant to data submitted by the applicant from a certified engineer.

The water and wastewater oversize fees will be assessed to all Developers regardless of whether or not they are required to install an oversized line. For single-family, two-family, and Single-Unit Townhouse Plats the water and wastewater oversize fees shall be paid when the Developer requests recordation of the Plat. For Multi-Unit Townhouse, multifamily and non-residential Plats or when a Plat is not required, the water and wastewater oversize fees shall be paid when an application for a building permit is submitted. Interest income earned from this account shall be added to the account.

X.

Chapter 8, Section 8.702, subsections (3) (a) and (3) (b), Code of Ordinances (1995 Edition), City of Round Rock, Texas, are hereby amended to read as follows:

8.702 CONSTRUCTION OF PUBLIC IMPROVEMENTS

(3) Sidewalk Construction

(a) Sidewalks for Single Family, Two-Family and Single-Unit Townhouse Lots

Except as provided in Section 8.405(3), a Developer shall install sidewalks on the rear of double frontage lots, on the side of a corner lot and where shown on the Subdivision Improvement Construction Plans.

(b) Sidewalks for Multi-Unit Townhouse, Multifamily, and Non-Residential Lots

A Developer shall install sidewalks for Multi-Unit Townhouse, multifamily and non-residential lots that abut a public street and where shown on the Subdivision Improvement Construction Plans. A Subdivision shall not be accepted until the sidewalk has been constructed in accordance with the regulations of this Chapter and has been inspected and approved by the City Engineer.

XI.


A. All ordinances, parts of ordinances, or resolutions in conflict herewith are expressly repealed.

B. The invalidity of any section or provision of this ordinance shall not invalidate other sections or provisions thereof.


C. The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Ordinance was adopted was posted and that such meeting was open to the public as required by law at all times during which this Ordinance and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

READ and APPROVED ^{and adopted} on first reading this the 13th day of January, 2005.

READ, APPROVED and ADOPTED on second reading this the ____ day of _____, 2005.


NYLE MAXWELL, Mayor
City of Round Rock, Texas

ATTEST:


CHRISTINE R. MARTINEZ, City Secretary

DATE: January 6, 2005

SUBJECT: City Council Meeting – January 13, 2005

ITEM: 9.C.7. Consider an ordinance amending Chapter 11, Sections 11.407 and 11.800, Zoning, Round Rock Code of Ordinances (1995 Edition) for conformance with revised Townhouse provisions. (First Reading)

Department: Planning

Staff Person: Jim Stendebach, Director

Justification:

Staff proposes amendments to the Townhouse (TH) zoning district to include provisions allowing for the development of detached units. Currently the district provides for attached dwelling units only.

The State legislature currently allows for the development of "bare land" condominiums. This configuration allows for the development of detached cluster housing under condominium ownership. It does not require the connection of two or more units traditionally required to qualify for a condominium regime, thus providing for greater flexibility in design for condominium developments.

Detached units on one lot will be required to have ten feet of separation between structures. This separation reflects the same spacing standards required in the single-family residential district. In addition, the area of separation will be free from any encroachments such as accessory buildings, eaves and roof overhangs.

Adoption of the proposed amendments to the TH zoning district will accomplish the following: first, the amendments will ensure that the City's zoning ordinance is consistent with state legislation, and, second, it will help the city meet its General Plan 2000 goal to provide a mix of housing options with respect to both housing type and affordability.

The attached ordinance amendments have been prepared to reflect the proposed changes and to update and clarify any other references to condominium regimes in both the zoning and subdivision ordinances.

Funding:

Cost: N/A

Source of funds: N/A

Outside Resources: N/A

Background Information:

The Planning and Zoning Commission rendered a favorable recommendation regarding the proposed amendments on December 1, 2004.

Public Comment:

Public Notice and a public hearing were held in accordance with the City of Round Rock's Zoning Ordinance.